



h\hgs-131.541

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#75
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AUG 20 2002

TECH CENTER 1600/2900

Applicant : Ying-Fei Wei
Serial No. : 08/778,545
Filed : January 3, 1997
For : Transforming Growth Factor Alpha HIII
Group No. : 1812
Examiner : Spector, L.
Attorney Docket No. : 325800-541 (PF220)

Honorable Assistant Commissioner for Patents
Box Rule 131 - No Fee Due
Washington, D.C. 20231

DECLARATION UNDER 37 CFR §1.131

Dear Sir:

1. I, Ying-Fei Wei, am the inventor of the invention claimed in the above application.

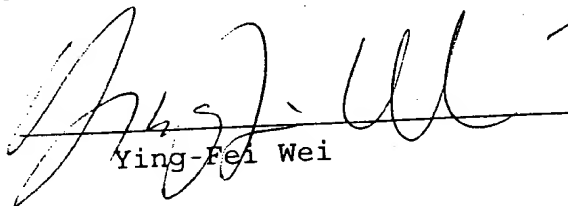
2. I state by the signature below the following: I am familiar with the publication consisting of the GenBank database record (Accession Number H02975) which the Patent Office has cited against the claims in the Office Action of December 16, 1997. Specifically, I am aware that the printed form of this record provided by the Patent Office includes the date of "20-JUN-1995" at the end of the first line. Presumably, this record was first made available to the public by GenBank on the June 20, 1995 date. Also, I am familiar with the publication consisting of the GenBank database record (Accession Number H71660) which the Patent Office has cited against the claims in the Office Action of January 16, 1997. Specifically, I am aware that the printed form of this record provided by the Patent Office includes the date of "26-OCT-1995" at the end of the first line. Presumably, this record was first made available to the public by GenBank on the October 26, 1995 date.

3. The complete nucleotide sequence disclosed and claimed in the captioned application was determined in my laboratory in the United States, prior to June 1, 1995, as evidenced by Exhibit A attached hereto. Exhibit A is a copy of the complete polynucleotide sequence (first page of a two-page computer-generated printing) of 923 nucleotides and the complete polypeptide sequence (second page of printing) of 230 amino acids as claimed in the present application and identified at the top of each page as "tgf31". The date of creation on the original printed document, which has been redacted in Exhibit A, appears at the top of the first page, after the word "Created:" and at the top of the second page under "TGF31AA". This date of creation of the printed display of the complete sequence claimed in the captioned application is before June 20, 1995.

4. Exhibit B shows a structural analysis of the complete amino acid sequence encoded by the DNA sequence claimed in the captioned application. The date of printing of this analysis, which has been redacted from the left upper corner under the identifier "tgf31aa", is also before June 1, 1995.

5. I further declare by the signature below that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this patent.

6/2/98
Date


Ying-Fei Wei

N:\h\hgs-541.131

Created:

:26 PM

pD10 BamHI/XbaI

pA2 BamHI/XbaI

pDNA BamHI/XhoI

10 20 30 40
 GAAATGCGCCTCACGGCCCGGGTAGTCTTACGACCCTG 40
 FS 371 GTGCCCTGGGCTGCTGCCCTGCTCCTCGCTCTGGGCGTGG 80 ← F4 (3708)
 AAAGGGCTCTGGCGCTACCCGAGATATGCACCCAATGTCC 120
 AGGGAGCGTGCAAAATTTGTCAAAAGTGGCCTTTTATTGT 160
 AAAACGACACGAGAGCTAATGCTGCATGCCCGTTGCTGCC 200 ← F3 (3707)

210 220 230 240
 TGAATCAGAAGGGCACCATCTTGGGGCTGGATCTCCAGAA 240
 CTGTTCTCTGGAGGACCCTGGTCCAAACTTTTCATCAGGCA 280 → R1 (3596)
 CATAACACTGTCATCATAGACCTGCAAGCAAACCCCTCA 320 ← F1 (3595)
 AAGGTGACTTGGCCAAACACCTTCCGTGGCTTTACTCAGCT 360
 CCAGACTCTGATACTGCCACAACATGTCAACTGTCTCTGGA 400

410 420 430 440
 GGAATTAATGCCTGGAATACTATCACCTCTTATATAGACA 440
 ACCAAATCTGTCAAGGGCAAAGAACCTTTGCAATAACAC 480
 TGGGGACCCAGAAATGTGTCTTGAGAATGGATCTTGTGTA 520
 CCTGATGGTCCAGGTCTTTTGCAGTGTGTTTGTGCTGATG 560
 GTTTCATGGATACAAGTGTATGCGCCAGGGCTCGTTCTC 600

610 620 630 640
 ACTGCTTATGTTCTTCGGGATTCTGGGAGCCACCCTCTA 640 → R2 (3632)
 TCCGTCTCCATTCTGCTTTGGGCGACCCAGCGCCGAAAAG 680 ← F2 (3638)
 CCAAGACTTCACTGAACATACATAGGTCTTACCATTGACCTA 720
 AGATCAATCTGAACTATCTTAGCCCAGTCAGGGAGCTCTG 760
 CTTCTAGAAAGGCATCTTTGCCCAGTGGATTGCTCTCAA 800

810 820 830 840
 GGTTGAGGCCGCCATTGGAAGATGAAAAATTGCACTCCCT 840
 TGGTGTAGACAAATACCAGTTCCCATTTGGTGTGTTGCCT 880
 ATAATAAACACTTTTTTCTTTTTTAAAAAAAAAAAAAAAAA 920
 AAA 923

TGF31AA

| | | | | | | | | | | | | | | |
|-----|--------|----|---|-----|--------|----|---|-----|--------|----|---|-------|--------|-----|
| aau | Asn(N) | 6 | # | aua | Ilu(I) | 4 | # | --- | Pro(P) | 13 | # | gug | Val(V) | 4 |
| --- | Asn(N) | 14 | # | auc | Ilu(I) | 4 | # | agc | Ser(S) | 1 | # | guu | Val(V) | 1 |
| gac | Asp(D) | 5 | # | auu | Ilu(I) | 3 | # | agu | Ser(S) | 1 | # | --- | Val(V) | 9 |
| gau | Asp(D) | 3 | # | --- | Ilu(I) | 11 | # | uca | Ser(S) | 3 | # | nnn | ???(X) | 3 |
| --- | Asp(D) | 8 | # | cua | Leu(L) | 3 | # | ucc | Ser(S) | 2 | # | TOTAL | | 230 |

Created:

PM

10 20 30 40

MAPHGPGSLTTLVPWAAALLLALGVERALALPEICTQCPG 40

SVQNLSKVAFYCKTTREMLHARCCLNQKGTILGLDLQNC 80

SLEDPGPNFHQAHTTVIIDLQANPLKGD LANTFRGFTQLQ 120

TLILPQHVNCPGGINAWNTITSYIDNQICXGQKNL C NNXG 160

DPEMCPENGSCVPDGPGLLOCYCADGFHGYK C MRQGSFSL 200

8 v.s. ? 210 8 v.s. 12-13 220 230 240

LMFFGILGATTLSVSILLWATQRRKAKTS. 230

↑

G.N. bit 15

pA2 TR3A

PART P

pA2 TR3A

